

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233b.066
LCB FILE R074-18**

The following statement is submitted for adopted amendments to Nevada Administrative (NAC) code Chapter 641.

1. A clear and concise explanation of the need for the adopted regulation.

A regulation change revising provisions relating to the registration of psychological assistants, psychological interns and psychological trainees by the Board.

The change revises provisions relating to the supervision of psychological assistants, psychological interns and psychological trainees. Additional revisions were made relating to the employment of a psychological assistant, psychological intern or psychological trainee.

Establishing standards by which a supervisor may seek reimbursement under the State Plan for Medicaid for certain services rendered by a psychological assistant, psychological intern or psychological trainee under his or her supervision.

Additionally, the regulation imposes a fee for the initial registration and the renewal of a registration of a psychological assistant, psychological intern and psychological trainee.

Existing law requires the Board of Psychological Examiners to adopt regulations establishing:

(1) Standards for the supervised experience of persons that is required for licensure by the Board; and
(2) qualifications for the issuance or renewal of a license by the Board. Existing law also authorizes the Board to adopt regulations relating to the registration of persons as psychological assistants, psychological interns or psychological trainees. (NRS 641.100)

Existing law further establishes the qualifications that a person must meet to register with the Board as a psychological assistant, psychological intern or psychological trainee. (NRS 641.226)

Existing regulations set forth additional requirements, conditions and limitations relating to registration as a psychological assistant or psychological intern. (NAC 641.151, 641.1515)

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested person may obtain a copy of the summary.

Notices of workshop and notices of intent to act upon the regulation were sent by US. Mail and email to persons who were known to have interest in the licensure requirements of Psychologists and Behavior Analysts in the state of Nevada, as well as any specific person who requested notification regarding regulation changes. Each mailing included further information on how to receive a free copy of the proposed regulation. These documents were also made available through the website of the Board of Psychological Examiners, psyexam.nv.gov or by directly emailing the Board office NBOP@govmail.state.nv.us, mailed to all county libraries in Nevada and posted at the following locations:

Board of Psychological Examiners
4600 Kietzke Lane B-116 (E141)
Reno, Nevada 89502

Office of the Attorney General
100 N. Carson St.
Carson City, Nevada 89701

Office of the Attorney General
Grant Sawyer Building
555 E. Washington Ave., Suite 3900
Las Vegas, Nevada 89101

Carson City City Manager
Carson City City Hall
201 N. Carson St., Suite 2
Carson City, Nevada 89701

A workshop was held to discuss language changes to the current NAC 641 on April 16, 2018 as well as May 7, 2018, and the minutes of the meeting, which can be obtained through contacting the Board office, each contain a summary of the discussion held regarding the proposed language change. Thereafter, on or about April 9, 2018, the Board of Psychological Examiners issued a Notice of Intent to Act Upon a Regulation which incorporated in the proposed amendment that was discussed at the above workshop. On December 14, 2018, a public hearing was held, where the Board of psychological Examiners received no testimony. The Board of Psychological Examiners approved to adopt proposed regulations R074-18. No public spoke for or against the language change at any of the above dates.

3. The number of persons who:

- (a) Attended each hearing:** April 16, 2018- 10; May 7, 2018- 9; December 14, 2018- 10
(b) Testified at each hearing: April 16, 2018- 9; May 7, 2018- 7; December 14, 2018- 0
(c) Submitted to the agency written comments: 4, which were read and discussed during public meeting held October 12, 2018 prior to submitting revised language to the Board office.

4. A list of names and contact information, including telephone number, business address, business telephone number, e-mail address, and name of entity or organization represented for each person identified above in #3, as provided to the agency;

April 16, 2018:

Michelle Paul, Board President
Debra Roberson, Executive Assistant
Noelle Lefforge, Ph.D.
Adriana Wechsler Zimring, Ph.D.
Shera Bradley, Ph.D.
Emily Slife, Ph.D.
Ken McKay, Ph.D.
Donald Campbell, Ph.D.
Yani Dickens, Ph.D.
Joseph Walloch, Ph.D..

May 7, 2018:

Michelle Paul, Board President
Morgan Gleich, Executive Director
Noelle Lefforge, Ph.D.
Adriana Wechsler Zimring, Ph.D..
Emily Slife, Ph.D.
Donald Campbell, Ph.D.
Yani Dickens, Ph.D.
Joseph Walloch, Ph.D.
Cynthia Marcynski, Ph.D.

December 14, 2018

Michelle Paul, Board President

Whitney Owens, Board Secretary/Treasurer

John Krogh, Board Member

Patrick Ghezzi, Board Member

Pam Becker, Board Member

Stephanie Holland, Board Member

Anthony Papa, Board Member

Sarah Bradley, DAG

Morgan Gleich, Executive Director

Ellen Rahn, Executive Assistant

Adriana Wechsler Zimring:

Brian Lech

Ken MacAleese

Hal Taylor

5. A description of how comment was solicited from affected business, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses in the same manner as they were solicited from the public. The summary of the discussion by the Board may be obtained through the minutes; which can be obtained through contacting the Board office or locating them on the Board's website, psyexam.nv.gov. However no member of the public spoke in support or opposition of the language.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Board requested a change after the October Board meeting, and received the approved language on November 8, 2018.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be state separately, and each case must be included:

*Economic effects on regulated businesses:

a) Adverse, immediate: There are no estimated adverse effects from this regulation.

Adverse, long-term: There are no estimated adverse effects from this regulation.

b) Beneficial, immediate: There are no estimated economic effects in this regulation.

Beneficial, long-term: There are no estimated economic effects in this regulation.

*Economic effects on public:

a) Adverse, immediate: There are no estimated economic effects in this regulation.

Adverse, long-term: There are no estimated economic effects in this regulation.

b) Beneficial, immediate: There are no estimated economic effects in this regulation.
Beneficial, long-term: There are no estimated economic effects in this regulation.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no increased cost of enforcement. As the Board currently regulates the registration of psychological assistants, and interns the addition of trainees will be in line of the Board's operation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explain why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The Board is not aware of any overlapping or duplicating of federal or state regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are no federal regulations that apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The Board has budgeted to receive \$7,750 over the next biennium in registration fees from the three levels.

Regulation adopted on December 14, 2018.